

**ENVIRONMENTAL SERVICES
SPB05-894P-W**

1. PARTIES

THIS CONTRACT, is entered into by and between the State of Montana, Department of Administration, State Procurement Bureau, (hereinafter referred to as "the State"), whose address and phone number are Room 165 Mitchell Building, 125 North Roberts, PO Box 200135, Helena MT 59620-0135, (406) 444-2575 and **Tetra Tech, Inc.**, (hereinafter referred to as the "Contractor"), whose nine digit Federal ID Number, address and phone number are 95-4148514, 303 Irene St., PO Box 4699, Helena MT 59604, and (406) 443-5210.

THE PARTIES AGREE AS FOLLOWS:

2. PURPOSE

The purpose of this term contract is to establish a list of Environmental Service Providers in several service areas. All qualified offerors will be assembled into a multiple contractor term contract for use by state agencies and other public procurement units. The State makes no guarantee of use by any agency-authorized access to this term contract. However, through data conveyed by the Montana Department of Environmental Quality, Montana Department of Natural Resources and Conservation, and Montana Fish, Wildlife and Parks, it is anticipated that this term contract should access approximately 2.5 million dollars or more annually.

3. EFFECTIVE DATE, DURATION, AND RENEWAL

3.1 Contract Term. This contract shall take effect upon execution of all signatures, and terminate on June 30, 2007, unless terminated earlier in accordance with the terms of this contract. (Mont. Code Ann. § 18-4-313.)

3.2 Contract Renewal. This contract may, upon mutual agreement between the parties and according to the terms of the existing contract, be renewed in one-year intervals, or any interval that is advantageous to the State, for a period not to exceed a total of four additional years. This renewal is dependent upon legislative appropriations.

3.3 Addition of Analytical Laboratory Contractor. Proposals will be accepted between April 1 and May 1 of each calendar year from current firms requesting review of their qualifications to perform Analytical Laboratory Services as originally requested under RFP SPB05-894P. The state will evaluate each proposal received in the exact manner in which the original proposals for other categories were evaluated. If proposal passes the requirements as evaluated to perform Analytical Lab Services, the state will update that firms term contract to include the Analytical Lab Services category contingent on said firm being in good standing otherwise.

4. NON-EXCLUSIVE CONTRACT

The intent of this contract is to provide state agencies with an expedited means of procuring supplies and/or services. This contract is for the convenience of state agencies and is considered by the State Procurement Bureau to be a "Non-exclusive" use contract. Therefore, agencies may obtain this product/service from sources other than the contract holder(s) as long as they comply with Title 18, MCA, and their delegation agreement. The State Procurement Bureau does not guarantee any usage.

5. COOPERATIVE PURCHASING

Under Montana law, public procurement units, as defined in section 18-4-401, MCA, have the option of cooperatively purchasing with the State of Montana. Public procurement units are defined as local or state public procurement units of this or any other state, including an agency of the United States, or a tribal procurement unit. Unless the bidder/offeror objects, in writing, to the State Procurement Bureau prior to the award of this contract, the prices, terms, and conditions of this contract will be offered to these public procurement units.

6. TERM CONTRACT REPORTING

Term contract holder(s) shall furnish annual reports of term contract usage. Each report shall contain complete information on all public procurement units utilizing this term contract. Minimum information required to be included in usage reports: name of the agency or governmental entity who contacted you regarding a potential project; project title; agency contact person; if the project was not successfully negotiated, state the reason; number and title of contracts received; total dollar amounts for contracts received; the names of your company personnel involved in the project; and project status as of usage report date. The report for this term contract will be due on July 20th of each year.

Reported volumes and dollar totals may be checked by the State Procurement Bureau against State records for verification. Failure to provide timely or accurate reports is justification for cancellation of the contract and/or justification for removal from consideration for award of contracts by the State.

7. COST/PRICE ADJUSTMENTS

7.1 Cost Increase by Mutual Agreement. After the initial term of the contract, each renewal term may be subject to a cost increase by mutual agreement. Contractor must provide written, verifiable justification for any cost adjustments they request during each renewal period. Contractor shall provide its cost adjustments in both written and electronic format.

7.2 Differing Site Conditions. If, during the term of this contract, circumstances or conditions are materially different than set out in the specifications, the Contractor may be entitled to an equitable adjustment in the contract price. The Contractor shall immediately cease work and notify, in writing, the State of any such conditions necessitating an adjustment as soon as they are suspected and prior to the changed conditions affecting the performance of this contract. Any adjustment shall be agreed upon in writing by both parties to the contract.

7.3 Cost/Price Adjustment. All requests for cost/price adjustment must be submitted between April 1st and April 30th along with written justification. Requests received after April 30th will not be considered unless written approval from the SPB Contracts Officer is given to submit at a later date. In no event will cost/price adjustments be allowed beyond May 15th. All requests that are approved will be incorporated by contract amendment and made effective July 1st of the next approved renewal period.

8. SERVICES AND/OR SUPPLIES

8.1 Service Categories. Contractor agrees to provide to the State the following services:

Water Quality Monitoring – Fixed Station and Probabilistic Design. The statewide monitoring network has three components. The first component is the fixed station water quality-monitoring network. There are 38 fixed station sites located on streams throughout Montana where there are active USGS gauging stations. The USGS is currently contracted to collect all of the water chemistry samples. The State may also collect sediment samples for trace metal analyses. Remote sensing may be used to assess stream geomorphology, flood plain and watershed characteristics.

Water Quality Monitoring - Lakes and Streams. As part of the monitoring program, standards criteria and TMDL development, lakes will continue to be sampled collecting chemistry, physical, and habitat parameters. Stream sampling may include sediment and water chemistry, geomorphology, habitat, or sources of pollutants (e.g., pebble counts, channel cross-section, stream reach assessments, photo points, Rosgen Type II, etc GIS and remote sensing may be used to assess riparian habitats, and watershed physical characteristics.

Water Quality Monitoring - Reference Sites. As part of the monitoring program and standards criteria development, reference sites will continue to be identified and characterized as described above.

Stakeholder Participation. The TMDL program (within DEQ) will often need additional assistance in order to develop implementation/restoration strategies and monitoring plans. These plans often require public

involvement with the local stakeholders. These efforts typically results in developing the measures needed to achieve full beneficial use support or to monitoring the uncertainties that arise during the TMDL process. Offerors should be experienced in or have staff members with proper credentials to facilitate participation with local stakeholders.

Geographic Information Systems (GIS) Services. The State, and in particular DEQ, will need assessments that characterize a watershed and identify and quantify all probable sources of pollutants. GIS maps will be required for every waterbody that is assessed. Thematic maps may include, but are not limited to: land ownership, land use, topography, hydrology, soils, precipitation, and/or endangered species distribution. In addition, DEQ may request that GIS applications be used to facilitate the interpretation and analysis of digital images and/or other georeferenced data.

Remote Sensing. The State may consider the use of remote sensing for characterizing a watershed and identifying probable sources of pollutants. For example, indicator metrics may be calculated from an air photo. Metrics may include active channel width, Rosgen level 1 Channel types, % shade, % land use, % land cover, average flood plain width, riparian corridor fragmentation, road density, road crossings, length of irrigation ditch/area, etc. DEQ may request contractors to assist them in developing remote sensing assessment techniques or to employ developed techniques in conducting detailed assessments. All data must be entered into an approved database structure, format, or program and linkage to the National Hydrography Dataset (NHD) streams layer may be requested. If necessary, the Contractor can subcontract in order to acquire the aerial photography products. All subcontractors for this task must be approved by the State prior to initiating a contract.

DEQ Electronic Data / Information Technical Assistance. The DEQ needs to be able to easily transmit water quality data into the modernized STORET database and make it more accessible to data consumers and the public. To accomplish this, the DEQ seeks to obtain technical products, services, and support, as needed, to migrate datasets to production database system(s) and improve data flow and data quality from a variety of sources into STORET. These tasks may include, but are not limited to solutions in commonly available software products to generate data that conforms to STORET and Oracle database requirements. Specific service areas sought include, but are not limited to: technical support for data conversion, reformatting, and/or normalization of existing historic and transformed datasets; automated data validation routines or procedures designed to support specific data quality objectives; technical solutions for data entry, data capture, and data reporting, maintenance, upgrades or enhancements to existing software interfaces; technical support in the implementation of STORET; acquisition of STORET-compatible data deliverables.

Revegetation Services. Revegetation Specialists are utilized by the State and other governmental entities to enhance and complete environmental project tasks. The services offered by Revegetation Specialists are planning, designing, implementation along with providing of supplies, materials and equipment necessary to carryout the tasks. If a firm does not have the staff or equipment to implant a project, they must then be able to demonstrate a plan for delivery of product and implementation of a project through subcontracting or professional cooperative agreements.

Watershed Coordination. Within the State of Montana, there are over 50 active watershed groups that are comprised of local stakeholders working together for the efficient use and preservation of the natural resources. The watershed groups typically work with State and Federal agencies to complete agreed upon tasks. The funding for the activities is usually in the form of State and Federal grant funds in which the group must apply and compete for the awards. Therefore, the watershed groups either designate or hire a professional coordinator to research and secure funds, organize public meetings, facilitate the public meetings, represent the group at local, regional, state and even national conferences.

Communication/Educational Services – Information & Education. Communication/education contractor specializing in information and education would assist in implementing the statewide information and education program for designated environmental projects. An example would be for the non-point sources of pollution as defined in the federal Clean Water Act. Some potential activities related to the aforementioned example are: hydromodification, stormwater runoff, raising livestock, farming, logging, land disposal, construction, historic mining districts, atmospheric deposition, transportation, and habitat modification. The

Information and Education services would be targeted towards specific projects develop by the State or governmental entities.

Communication/Educational Services – Contract Administration. Communication/education contractor specializing in contract administration would assist in tracking contract progress, accounting systems for the contracts, documenting and tracking match funds, developing scopes of work for project contracts, soliciting for project sponsors, conducting the procurement process for the contractor selection, tracks contracts progress, obstacles and fund availability, reviews and evaluates products resulting from contracts as to meeting contractual requirements, inputting information into database to track contact and assemble detailed contract information with ease.

Communication/Education Services – Information Transfer & TMDL Technical Editing. Communication/education contractor specializing in information transfer would assist in the design, production and distribution of information for target audiences via TV, radio, or print media. These projects often require the conversion of complex water quality data into information the public can understand. Products include pamphlets, brochures, guidebooks, and videos; maintaining a webpage, writing press releases; set up public meetings, give interviews, make presentations at workshops and conferences and organize conferences and set up field trips. Offerors in this field may also specify their ability to provide Technical Editing of Natural Science documents, in particular Total Maximum Daily Load documents. Technical editing can include, but is not limited to proofreading for grammar and mathematical errors, document clarity, and linkage between different sections.

8.2 Reuse of Documents. When the projects dictate a design or engineered approach, the State agrees that it will not apply the Contractor's designs to any other projects.

9. ENGINEERING ACCESS

All of the firms selected may need to have access to engineering services depending on the nature of the project. The contractor(s) will be expected to use their own best judgment as to whether engineering services are needed for a given project. However, traditional engineering methodologies are not the emphasis of this RFP. It is a violation of State Statute to practice engineering or land surveying without a license.

10. PROJECT SELECTION

10.1 Project Identification. The State will be responsible for identifying projects, contacting landowners and securing necessary permission/cooperation agreements, selecting a contractor, writing grant applications and approving project payments.

10.2 Hazardous Materials. The State will not initiate projects where it is known that hazardous materials are present. If there is an indication of a potential of hazardous materials, then the State will do testing prior to contacting the contractor. However, there is always the possibility of unforeseen problems resulting in the stoppage of a project.

10.3 Meetings. The selected contractor may be required to meet with State personnel at the project site to conduct a site evaluation, discuss project issues and begin the negotiation process on project feasibility, conceptual design and costs for each project.

10.4 Approach Expectations. In the case of restoration activities, the agency will identify the preferred techniques. The determination made by the State may define which contractor(s) are contacted for project initiation. The State is always open to new and innovative approaches that accomplish project goals.

11. SELECTING A CONTRACTOR

The State may select a term contract holder from the Environmental Services contract home page as provided under the state's website address

<http://www.discoveringmontana.com/doa/gsd/procurement/TermContracts/environservices/Default.asp>, taking into consideration such things as the contractor's area of expertise, requirements and location of the project,

the contractor's availability and access to resources necessary to efficiently and effectively complete the project, demonstrated excellent past performance on State and public projects, identified subcontractors and total project cost.

General. Ordering agencies shall use the procedures in this section when ordering services priced at hourly rates as established by each Term Contract (TC). The applicable service categories are identified in each TC along with the contractor's price lists.

Request for Quotation (RFQ) procedures. The ordering agency must provide an RFQ, which includes the statement of work and limited, but specific evaluation criteria (e.g., experience and past performance), to TC contractors that offer services that will meet the agency's needs. The RFQ may be posted to the agency's state website to expedite responses.

Statement of Work (SOWs). All SOW's shall include at a minimum a detailed description of the work to be performed, location of work, period of performance, deliverable schedule, applicable performance standards and any special requirements (e.g., security clearances, travel, special knowledge).

- (1) Ordering agency may select a contractor from the appropriate service category and directly negotiate a mutually acceptable project based on a sudden and unexpected happening or unforeseen occurrence or condition, which requires immediate action. (Exigency).
- (2) Ordering agency may place orders at or below the \$5,000 threshold with any TC contractor that can meet the agency's needs. The ordering agency should attempt to distribute orders among all service category contractors.
- (3) For orders estimated to exceed \$5,000 but less than \$25,000.
 - (i) The ordering agency shall develop a statement of work.
 - (ii) The ordering agency shall provide the RFQ (including the statement of work and evaluation criteria) to at least three TC contractors that offer services that will meet the agency's needs.
 - (iii) The ordering agency shall request that contractors submit firm-fixed prices to perform the services identified in the statement of work.
- (4) For orders estimated to exceed \$25,000. In addition to meeting the requirements of (3) above, the ordering agency shall:
 - (i) Provide the RFQ (including the statement of work and the evaluation criteria) to a minimum of six service category TC contractors (if category has less than 6, all contractors will be offered an RFQ) with a 50% replacement factor for each subsequent request for quote in the same service category.

Evaluation. The ordering agency shall evaluate all responses received using the evaluation criteria provided in the RFQ to each TC contractor. The ordering agency is responsible for considering the level of effort and the mix of labor proposed to perform a specific task being ordered, and for determining that the total price is reasonable. The agency will place the order with the contractor that represents the best value. After award, ordering agencies will provide timely notification to unsuccessful TC contractors. If an unsuccessful TC contractor requests information on a task order award that was based on factors other than price alone, a brief explanation of the basis for the award decision shall be provided.

Minimum documentation. The ordering agency shall document:

- (1) The TC contractors considered, noting the contractor from which the service was purchased.
- (2) A description of the service purchased.
- (3) The amount paid.
- (4) The evaluation methodology used in selecting the contractor to receive the order.
- (5) The rationale for making the selection.
- (6) Determination of price fair and reasonableness.

Agency project task orders will be utilized to finalize the project. Only written addenda will be used for adjustments of the task orders and must be signed by both parties. All task orders must contain signatures from both parties and appropriate agency legal review as directed in their procurement policy.

The State will monitor contractor selection by using the information provided in the annual TC usage reports. Contractor's who fail to respond to three RFQ opportunities within a one-year period between July 1st and June 30th may be removed from the qualified list of contractors.

12. CONTRACTOR RESPONSIBILITIES

12.1 Supervision and Implementation. The selected contractor for an individual project will be responsible for the supervision and implementation of the approach and will be responsible for oversight of work performed by all subcontractors. In most cases the contractor will provide and be responsible for all the necessary equipment, materials, supplies and personnel necessary for proper execution of the work. However, the State reserves the right to hire subcontractors (equipment and/or labor) if it will provide a cost savings to the State. The selected contractor will also be responsible for clean up of the sites if necessary and must have the sites inspected by the State immediately prior to completion.

12.2 On-Site Requirements. When a contractor is contacted by the State to discuss a project, the State and the contractor may visit the job site if deemed necessary by the Project Manager, to become familiar with conditions relating to the project and the labor requirements. The State will provide a detailed scope of work for the project and request the contractor supply the State with a response to project approach, cost, timeframe and any other information deemed necessary by the State to make a selection or complete a contract negotiation.

In the cases of Restoration or On-The-Ground Activities, the contractor shall adequately protect the work, adjacent property, and the public in all phases of the work. They shall be responsible for all damages or injury due to their action or neglect.

The contractor shall maintain access to all phases of the contract pending inspection by the State, the landowner, or their representative. All interim or final products funded by the contract will become the property of the State or Cooperative Purchaser upon payment for said products.

All work rejected as unsatisfactory shall be corrected prior to final inspection and acceptance. The contractor shall respond within seven calendar days after notice of observed defects has been given and shall proceed to immediately remedy these defects. Should the contractor fail to respond to the notice or not remedy the defects, the State may have the work corrected at the expense of the contractor.

12.3 Clean Up (when project tasks require). The contractor shall:

- Keep the premises free from debris and accumulation of waste;
- Clean up any oil or fuel spills;
- Keep machinery clean and free of weeds;
- Remove all construction equipment, tools and excess materials; and
- Perform finishing site preparation to limit the spread of noxious weeds before final payment by the State.

12.4 Applicable Laws. The contractor shall keep informed of, and shall comply with all applicable laws, ordinances, rules, regulations and orders of the City, County, State, Federal or public bodies having jurisdiction affecting any work to be done to provide the services required. The contractor shall provide all necessary safeguards for safety and protection, as set forth by the United States Department of Labor, Occupational Safety and Health Administration.

12.5 Cooperation. The contractor shall work closely with the States analytical consultants, (i.e. environmental laboratories and taxonomists) to develop the desired products.

12.6 Work Acceptance. The contractor is responsible for project oversight as needed. The State may also periodically provide personnel for administrative oversight from the initiation of the contract through

project completion. All work will be inspected by the State or designated liaison prior to approval of any contract payments. All work rejected as unsatisfactory shall be corrected prior to final inspection and acceptance. Contractor shall respond within seven calendar days after notice of defects has been given by the State and proceed to immediately remedy all defects.

12.7 Records. The contractor will supply the State with documentation, when requested, of methods used throughout project implementation. Contractor will maintain records for themselves and all subcontractors of supplies, materials, equipment and labor hours expended.

12.8 Communication. Remoteness of project sites may necessitate that the contractor have some form of field communication such as a cellular phone. This communication is necessary to enable the State to respond to public concerns related to the project, accidents, inspections, or other project issues that require immediate feedback. In addition, the State or Cooperative Purchaser may require scheduled communication at agreed upon intervals. The communication schedule will be dependent upon the project circumstances and requirements of the contracting agency. In the case when a communication schedule is included in the Scope of Work, the schedule will commence when the contractor initiates the project.

12.9 Change Of Staffing. Since qualifications of personnel were key in determining which offerors were selected to be on this TC, a written notification of any changes in key personnel must be made to the state agency, prior to entering into negotiations to perform any specific work scope. Contractor shall replace such employee(s) at its own expense with an employee of substantially equal abilities and qualifications without additional cost to the agency. If these staffing changes cause the contractor to no longer meet the qualifications stated herein, that firm will be removed from the service area of this TC. Failure to notify the state agency of staffing changes could result in the contractor being removed from the TC listing and possible suspension from bidding on other state projects.

12.10 Collaboration. The State encourages collaboration between contractors to increase the scope of services offered. In cases where the chosen contractor is not able to provide all services needed for the project, the State will expect the chosen contractor to contact other contractors on this list to negotiate subcontracts for these services before going elsewhere. Exceptions to this strategy will be evaluated on a case-by-case basis.

12.11 Subcontractors, Project Budget and Invoicing. All subcontractors to be used in any project must be approved by the authorized entity initiating the project. Project budgets will be negotiated for each individual project contract. However, all rates, terms and conditions set forth in this term contract will be applied to individual contracts. Subcontractor is defined as anyone other than the prime contractor having substantial direct involvement in a specific project.

The State reserves the right to choose the invoicing method from the following:

- Prime contractor's billing will include the subcontractors charges and payment will be made to the prime, or
- Prime and subcontractors will bill the State separately and the State will pay each directly.

13. CONSIDERATION/PAYMENT

13.1 Payment Schedule. In consideration for the services to be provided, the State shall pay according to the negotiated agreement for each project. Hourly rates and miscellaneous charges as provided in Attachment B shall apply.

13.2 Withholding of Payment. The State may withhold payments to the Contractor if the Contractor has not performed in accordance with this contract. Such withholding cannot be greater than the additional costs to the State caused by the lack of performance.

14. CONTRACTOR REGISTRATION

The Contractor will be registered with the Department of Labor and Industry under sections 39-9-201 and 39-9-204, MCA, *prior* to contract execution. The State cannot execute a contract for construction to a Contractor who is not registered. (Mont. Code Ann. § 39-9-401.)

15. CONTRACTOR WITHHOLDING

Section 15-50-206, MCA, requires the state agency or department for whom a public works construction contract over \$5,000 is being performed, to withhold 1 percent of all payments and to transmit such monies to the Department of Revenue.

16. MONTANA PREVAILING WAGE REQUIREMENTS

Unless superseded by federal law, Montana law requires that contractors and subcontractors give preference to the employment of Montana residents for any public works contract in excess of \$25,000 for construction or nonconstruction services in accordance with sections 18-2-401 through 18-2-432, MCA, and all administrative rules adopted pursuant thereto. Unless superseded by federal law, at least 50% of the workers of each contractor engaged in construction services must be performed by bona fide Montana residents. The Commissioner of the Montana Department of Labor and Industry has established the resident requirements in accordance with sections 18-2-403 and 18-2-409, MCA. Any and all questions concerning prevailing wage and Montana resident issues should be directed to the Montana Department of Labor and Industry.

In addition, unless superseded by federal law, all employees working on a public works contract shall be paid prevailing wage rates in accordance with sections 18-2-401 through 18-2-432, MCA, and all administrative rules adopted pursuant thereto. Montana law requires that all public works contracts, as defined in section 18-2-401, MCA, in which the total cost of the contract is in excess of \$25,000, contain a provision stating for each job classification the standard prevailing wage rate, including fringe benefits, travel, per diem, and zone pay that the contractors, subcontractors, and employers shall pay during the public works contract.

Furthermore, section 18-2-406, MCA, requires that all contractors, subcontractors, and employers who are performing work or providing services under a public works contract post in a prominent and accessible site on the project staging area or work area, no later than the first day of work and continuing for the entire duration of the contract, a legible statement of all wages and fringe benefits to be paid to the employees in compliance with section 18-2-423, MCA. Section 18-2-423, MCA, requires that employees receiving an hourly wage must be paid on a weekly basis.

Each contractor, subcontractor, and employer must maintain payroll records in a manner readily capable of being certified for submission under section 18-2-423, MCA, for not less than three years after the contractor's, subcontractor's, or employer's completion of work on the public works contract.

The nature of the work performed or services provided under this contract meets the statutory definition of a "public works contract" under section 18-2-401(11)(a), MCA, and falls under the category of Heavy Construction and Nonconstruction services. The booklets containing Montana's 2003 Rates for Heavy Construction and Nonconstruction Services are attached.

The most current Montana Prevailing Wage Booklet will automatically be incorporated at time of renewal. It is the contractor's responsibility to ensure they are using the most current prevailing wages during performance of its covered work.

17. ACCESS AND RETENTION OF RECORDS

17.1 Access to Records. The Contractor agrees to provide the State, Legislative Auditor or their authorized agents access to any records necessary to determine contract compliance. (Mont. Code Ann. § 18-1-118.)

17.2 Retention Period. The Contractor agrees to create and retain records supporting the environmental services for a period of three years after either the completion date of this contract or the conclusion of any claim, litigation or exception relating to this contract taken by the State of Montana or a third party.

18. ASSIGNMENT, TRANSFER AND SUBCONTRACTING

The Contractor shall not assign, transfer or subcontract any portion of this contract without the express written consent of the State. (Mont. Code Ann. § 18-4-141.) The Contractor shall be responsible to the State for the acts and omissions of all subcontractors or agents and of persons directly or indirectly employed by such subcontractors, and for the acts and omissions of persons employed directly by the Contractor. No contractual relationships exist between any subcontractor and the State.

19. HOLD HARMLESS/INDEMNIFICATION

The Contractor agrees to protect, defend, and save the State, its elected and appointed officials, agents, and employees, while acting within the scope of their duties as such, harmless from and against all claims, demands, causes of action of any kind or character, including the cost of defense thereof, arising in favor of the Contractor's employees or third parties on account of bodily or personal injuries, death, or damage to property arising out of services performed or omissions of services or in any way resulting from the acts or omissions of the Contractor and/or its agents, employees, representatives, assigns, subcontractors, except the sole negligence of the State, under this agreement.

20. REQUIRED INSURANCE

20.1 General Requirements. The Contractor shall maintain for the duration of the contract, at its cost and expense, insurance against claims for injuries to persons or damages to property, including contractual liability, which may arise from or in connection with the performance of the work by the Contractor, agents, employees, representatives, assigns, or subcontractors. This insurance shall cover such claims as may be caused by any negligent act or omission.

20.2 Primary Insurance. The Contractor's insurance coverage shall be primary insurance as respect to the State, its officers, officials, employees, and volunteers and shall apply separately to each project or location. Any insurance or self-insurance maintained by the State, its officers, officials, employees or volunteers shall be excess of the Contractor's insurance and shall not contribute with it.

20.3 Specific Requirements for Commercial General Liability. The Contractor shall purchase and maintain occurrence coverage with combined single limits for bodily injury, personal injury, and property damage of \$1,000,000 per occurrence and \$2,000,000 aggregate per year to cover such claims as may be caused by any act, omission, or negligence of the Contractor or its officers, agents, representatives, assigns or subcontractors.

20.4 Additional Insured Status. The State, its officers, officials, employees, and volunteers are to be covered and listed as additional insureds; for liability arising out of activities performed by or on behalf of the Contractor, including the insured's general supervision of the Contractor; products and completed operations; premises owned, leased, occupied, or used.

20.5 Specific Requirements for Automobile Liability. The Contractor shall purchase and maintain coverage with split limits of \$500,000 per person (personal injury), \$1,000,000 per accident occurrence (personal injury), and \$100,000 per accident occurrence (property damage), OR combined single limits of \$1,000,000 per occurrence to cover such claims as may be caused by any act, omission, or negligence of the contractor or its officers, agents, representatives, assigns or subcontractors.

20.6 Additional Insured Status. The State, its officers, officials, employees, and volunteers are to be covered and listed as additional insureds for automobiles leased, hired, or borrowed by the Contractor.

20.7 Specific Requirements for Professional Liability. The Contractor shall purchase and maintain occurrence coverage with combined single limits for each wrongful act of \$1,000,000 per occurrence and \$2,000,000 aggregate per year to cover such claims as may be caused by any act, omission, negligence of the Contractor or its officers, agents, representatives, assigns or subcontractors. Note: if "occurrence" coverage is unavailable or cost prohibitive, the Contractor may provide "claims made" coverage provided the following conditions are met: (1) the commencement date of the contract must not fall outside the effective date

of insurance coverage and it will be the retroactive date for insurance coverage in future years; and (2) the claims made policy must have a three year tail for claims that are made (filed) after the cancellation or expiration date of the policy.

20.8 Deductibles and Self-Insured Retentions. Any deductible or self-insured retention must be declared to and approved by the state agency. At the request of the agency either: (1) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the State, its officers, officials, employees, or volunteers; or (2) at the expense of the Contractor, the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claims administration, and defense expenses.

20.9 Certificate of Insurance/Endorsements. A certificate of insurance from an insurer with a Best's rating of no less than A- indicating compliance with the required coverages, has been received by the State Procurement Bureau, PO Box 200135, Helena MT 59620-0135. The Contractor must notify the State immediately, of any material change in insurance coverage, such as changes in limits, coverages, change in status of policy, etc. The State reserves the right to require complete copies of insurance policies at all times.

21. COMPLIANCE WITH THE WORKERS' COMPENSATION ACT

Contractors are required to comply with the provisions of the Montana Workers' Compensation Act while performing work for the State of Montana in accordance with sections 39-71-120, 39-71-401, and 39-71-405, MCA. Proof of compliance must be in the form of workers' compensation insurance, an independent contractor's exemption, or documentation of corporate officer status. Neither the contractor nor its employees are employees of the State. This insurance/exemption must be valid for the entire term of the contract. A renewal document must be sent to the State Procurement Bureau, PO Box 200135, Helena MT 59620-0135, upon expiration.

22. COMPLIANCE WITH LAWS

The Contractor must, in performance of work under this contract, fully comply with all applicable federal, state, or local laws, rules and regulations, including the Montana Human Rights Act, the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Any subletting or subcontracting by the Contractor subjects subcontractors to the same provision. In accordance with section 49-3-207, MCA, the Contractor agrees that the hiring of persons to perform the contract will be made on the basis of merit and qualifications and there will be no discrimination based upon race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin by the persons performing the contract.

23. INTELLECTUAL PROPERTY

All patent and other legal rights in or to inventions created in whole or in part under this contract must be available to the State for royalty-free and nonexclusive licensing. Both parties shall have a royalty-free, nonexclusive, and irrevocable right to reproduce, publish or otherwise use and authorize others to use, copyrightable property created under this contract.

24. PATENT AND COPYRIGHT PROTECTION

24.1 Third Party Claim. In the event of any claim by any third party against the State that the products furnished under this contract infringe upon or violate any patent or copyright, the State shall promptly notify Contractor. Contractor shall defend such claim, in the State's name or its own name, as appropriate, but at Contractor's expense. Contractor will indemnify the State against all costs, damages and attorney's fees that accrue as a result of such claim. If the State reasonably concludes that its interests are not being properly protected, or if principles of governmental or public law are involved, it may enter any action.

24.2 Product Subject of Claim. If any product furnished is likely to or does become the subject of a claim of infringement of a patent or copyright, then Contractor may, at its option, procure for the State the right to continue using the alleged infringing product, or modify the product so that it becomes non-infringing. If none

of the above options can be accomplished, or if the use of such product by the State shall be prevented by injunction, the State will determine if the Contract has been breached.

25. CONTRACT TERMINATION

25.1 Termination for Cause. The State may, by written notice to the Contractor, terminate this contract in whole or in part at any time the Contractor fails to perform this contract.

25.2 Reduction of Funding. The State, at its sole discretion, may terminate or reduce the scope of this contract if available funding is reduced for any reason. (See Mont. Code Ann. § 18-4-313(3).)

26. STATE PERSONNEL

26.1 State Contract Manager. The State Contract Manager identified below is the State's single point of contact and will perform all contract management pursuant to section 2-17-512, MCA, on behalf of the State. Written notices, requests, complaints or any other issues regarding the contract should be directed to the State Contract Manager.

The State Contract Manager for this contract is:

Robert Oliver, Contracts Officer
Room 165 Mitchell Building
125 North Roberts
PO Box 200135
Helena MT 59620-0135
Telephone #: (406) 444-0110
Fax #: (406) 444-2529
E-mail: roliver@mt.gov

26.2 State Project Manager. Each using State agency or Cooperative Purchaser will identify a Project Manager in the project task order. The Project Manager will manage the day-to-day project activities on behalf of the State/Cooperative Purchaser.

27. CONTRACTOR PERSONNEL

27.1 Change Of Staffing. Since qualifications of personnel was key in determining which offerors were selected to be on this term contract list, a written notification to the State Procurement Bureau of any changes of key personnel must be made within two weeks of the change. These change notifications will be completed upon the departure or hiring of key personnel who are professional employees critical to awarded service areas. If these staffing changes cause the firm to no longer meet the qualifications stated herein, that firm will be removed from the service area of this term contract. Failure to notify the State Procurement Bureau of staffing changes could result in the contractor being removed from the term contract listing and possible suspension from bidding on other State projects.

27.2 Contractor Contract Manager. The Contractor Contract Manager identified below will be the single point of contact to the State Contract Manager and will assume responsibility for the coordination of all contract issues under this contract. The Contractor Contract Manager will meet with the State Contract Manager and/or others necessary to resolve any conflicts, disagreements, or other contract issues.

The Contractor Contract Manager for this contract is:

Chris Cronin
303 Irene Street
PO Box 4699
Helena MT 59604
Telephone #: (406) 443-5210

27.3 Contractor Project Manager. The Contractor Project Manager identified below will manage the day-to-day project activities on behalf of the Contractor:

The Contractor Project Managers for this contract are:

Chris Cronin
303 Irene Street
PO Box 4699
Helena MT 59604
Telephone #: (406) 443-5210
Fax #: (406) 443-3729
E-mail: drogness@maximusa.com

Fred Gifford
303 Irene Street
PO Box 4699
Helena MT 59604
Telephone #: (406) 443-5210
Fax #: (406) 443-3729
E-mail:

28. MEETINGS

The Contractor is required to meet with the State's personnel, or designated representatives, to resolve technical or contractual problems that may occur during the term of the contract or to discuss the progress made by Contractor and the State in the performance of their respective obligations, at no additional cost to the State. Meetings will occur as problems arise and will be coordinated by the State. The Contractor will be given a minimum of three full working days notice of meeting date, time, and location. Face-to-face meetings are desired. However, at the Contractor's option and expense, a conference call meeting may be substituted. Consistent failure to participate in problem resolution meetings two consecutive missed or rescheduled meetings, or to make a good faith effort to resolve problems, may result in termination of the contract.

29. CONTRACTOR PERFORMANCE ASSESSMENTS

The State may do assessments of the Contractor's performance. This contract may be terminated for one or more poor performance assessments. Contractors will have the opportunity to respond to poor performance assessments. The State will make any final decision to terminate this contract based on the assessment and any related information, the Contractor's response and the severity of any negative performance assessment. The Contractor will be notified with a justification of contract termination. Performance assessments may be considered in future solicitations.

30. TRANSITION ASSISTANCE

If this contract is not renewed at the end of this term, or is terminated prior to the completion of a project, or if the work on a project is terminated, for any reason, the Contractor must provide for a reasonable period of time after the expiration or termination of this project or contract, all reasonable transition assistance requested by the State, to allow for the expired or terminated portion of the services to continue without interruption or adverse effect, and to facilitate the orderly transfer of such services to the State or its designees. Such transition assistance will be deemed by the parties to be governed by the terms and conditions of this contract, except for those terms or conditions that do not reasonably apply to such transition assistance. The State shall pay the Contractor for any resources utilized in performing such transition assistance at the most current rates provided by the contract. If there are no established contract rates, then the rate shall be mutually agreed upon. If the State terminates a project or this contract for cause, then the State will be entitled to offset the cost of paying the Contractor for the additional resources the Contractor utilized in providing transition assistance with any damages the State may have otherwise accrued as a result of said termination.

31. CHOICE OF LAW AND VENUE

This contract is governed by the laws of Montana. The parties agree that any litigation concerning this bid, proposal or subsequent contract must be brought in the First Judicial District in and for the County of Lewis and Clark, State of Montana and each party shall pay its own costs and attorney fees. (See Mont. Code Ann. § 18-1-401.)

32. SCOPE, AMENDMENT AND INTERPRETATION

32.1 Contract. This contract consists of 12 numbered pages, any Attachments as required, RFP # SPB05-894P, as amended and the Contractor's RFP response as amended. In the case of dispute or ambiguity about the minimum levels of performance by the Contractor the order of precedence of document interpretation is in the same order.

32.2 Entire Agreement. These documents contain the entire agreement of the parties. Any enlargement, alteration or modification requires a written amendment signed by both parties.

33. EXECUTION

The parties through their authorized agents have executed this contract on the dates set out below.

**DEPARTMENT OF ADMINISTRATION
STATE PROCUREMENT BUREAU
PO BOX 200135
HELENA MT 59620-0135**

**TETRA TECH, INC.
303 IRENE ST., PO BOX 4699
HELENA MT 59604
FEDERAL ID # 13-3264076**

BY: _____
Penny Moon, Contracts Officer

BY: _____
(Name/Title)

BY: _____
(Signature)

BY: _____
(Signature)

DATE: _____

DATE: _____

ATTACHMENT A CONTRACTOR'S RESPONSE

1.0 INTRODUCTION

This proposal was prepared by employees of Tetra Tech, Inc. (Maxim) in response to a term contract request for proposal (RFP No. SPB05-894P) issued by the Montana Department of Administration General Services Division (the State) on April 9, 2004. In the RFP, the State indicates it seeks assistance from professional consulting firms to provide support to certain state agencies relative to several types of service categories. It is anticipated the primary State departments to utilize this contract will be the departments of Environmental Quality, Natural Resources and Conservation, and Fish, Wildlife & Parks. We also understand the State intends to award multiple contracts for these services.

Our proposal includes the following attachments:

- Appendix A – Figures and Tables
- Appendix B – Resumes
- Appendix C – Identification of Services Form
- Appendix D – Price Sheets
- Appendix E – Project Example
- Appendix F – Signed Acknowledgement forms for Addendum No. 1 and No. 2

As further described herein, Maxim wishes to be considered for the following service categories under this RFP (see “Identification of Services” form in Appendix C):

- Water Quality Monitoring – Fixed Station and Probabilistic Design
- Water Quality Monitoring – Lakes and Streams
- Water Quality Monitoring – Reference Sites
- Total Maximum Daily Loads (TMDL) Targets
- TMDL Source Assessment/Delineation
- TMDL Load Allocations
- Total Maximum Daily Loads
- Stakeholder Participation
- TMDL Effectiveness Monitoring
- GIS Services
- Remote Sensing
- Water Quality Modeling
- Statistical Analysis
- DEQ Electronic Data/Information Technical Assistance
- Revegetation Services
- Watershed Coordination
- Communication/Education Services – Information and Education
- Communication/Education Services – Contract Administration
- Communication/Education Services – Information Transfer & TMDL Technical Editing
- Land Use Planning Services
- Preparation of Technical Manuals or Circulars

Maxim is a multidisciplinary consulting firm employing over 120 persons in five Montana offices, including Missoula, Great Falls, Helena, Bozeman, and Billings. The firm has been in business in Montana since 1959 and has grown throughout the years to provide services in several technical disciplines, including:

- Hydrology
- Hydrogeology
- Geology
- Soil Science
- Geochemistry
- Chemistry

- Botany & Range
- Wildlife Biology
- Fisheries and Aquatics
- Forestry and Fire Management
- Environmental Engineering
- Civil Engineering
- Geographic Information Systems (GIS)
- Computer-assisted Design Drafting (CADD)
- Database Management

Our firm specializes in completing watershed assessments, TMDL evaluations, water quality monitoring and modeling, wetlands delineations and restoration, GIS analysis, statistical determinations, database management, stream reconstruction, revegetation design, and reclamation construction oversight. Specialists within Maxim are also adept at developing and implementing public outreach programs and various types of communication strategies. Maxim employees have provided such services in conjunction with several TMDL and other watershed-based studies including the Whitefish River and the Clark Fork River basin of western Montana. Over the past 20 years, the firm has provided the types of services requested under this solicitation and other types of services to the following State of Montana departments:

- Environmental Quality
- Transportation
- Agriculture
- Fish, Wildlife & Parks
- Military Affairs
- Natural Resources and Conservation

Maxim personnel pride themselves in their collective track record in providing quality consulting services to the State of Montana and other clients. Our company culture has always placed significant emphasis on supporting our clients in developing effective and efficient approaches to meeting their challenges and in developing quality work products that exceed our clients' expectations. This view toward being a service provider has served us well in securing repeat business from our clients and has allowed us to grow our Montana operations substantially.

Our proposal is organized consistent with the format described in the State's RFP. This introductory section is followed by a discussion of each of the 21 service categories listed above for which Maxim would like to be considered. For each of these service categories, we describe our qualifications and experience for the activities that could be performed. We also provide references who are familiar with our capabilities and performance in the various service categories we are pursuing under this solicitation. Qualifications of our Montana-based staff are summarized in the resumes (Appendix B), as well as within the service category descriptions. Our cost information is provided in Appendix D on the Cost Sheets provided by the State in the RFP. Appendix E contains a project example that details actual activities and work products completed and in-progress for a project that demonstrates Maxim's capability to perform the service categories.

We appreciate this opportunity to provide the State with this summary of our skills and expertise relative to those services requested under this solicitation.

2.0 SERVICE CATEGORIES

WATER QUALITY MONITORING – FIXED STATION AND PROBABALISTIC DESIGN

References

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (fixed station and probabilistic design), key Maxim projects include the New World Mining District Response and Restoration project, Silver Bow Creek CERCLA project, Yellowstone Pipeline Reroute project, Simplot Smoky Canyon Mine project, and Whitefish TMDL. Remote sensing has been used at some sites to assess stream conditions

(e.g, digital images).

Company Profile and Experience

For water quality monitoring using fixed stations and probabilistic design, Maxim has considerable experience collecting water and sediment samples for quality analysis. Samples are collected using standard operating procedures that specify methodology for collecting samples, measuring flow, using field meters, etc. Maxim uses remote sensing to assess characteristics of streams, flood plains, and watersheds. Resumes of Maxim personnel that have experience with this service category are in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, Maxim designed surface water monitoring programs, and collected numerous surface water and sediment samples for chemical-physical analysis. Aerial photos were used for stream and watershed characterization. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or higher, and at least 50% of our technical staff have bachelors degrees.

WATER QUALITY MONITORING – LAKES AND STREAMS

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (water quality monitoring of lakes and streams), key Maxim projects include the New World Mining District Response and Restoration project, Silver Bow Creek CERCLA project, Yellowstone Pipeline Reroute project, Simplot Smoky Canyon Mine project, and Whitefish TMDL project.

Company Profile and Experience

For water quality monitoring of lakes and streams, Maxim has considerable experience collecting water and sediment samples for quality analysis. Samples are collected using standard operating procedures. Geomorphology, habitat, and sources of pollutants are often assessed, using pebble counts, channel cross-sections, photo points, Rosgen classification, and other methods. Maxim uses GIS and remote sensing to assess riparian habitat and watershed characteristics. Resumes of Maxim personnel that have experience with this service category are in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, various water bodies were sampled for physical, chemical, and habitat parameters. Assessment of stream reaches included pebble counts, channel cross-sections, Rosgen classification, and channel stability. GIS and remote sensing were used to assess riparian habitat and watersheds. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or

higher, and at least 50% of our technical staff have bachelors degrees.

WATER QUALITY MONITORING – REFERENCE SITES

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (reference sites), key Maxim projects include the New World Mining District Response and Restoration project, Silver Bow Creek CERCLA project, Yellowstone Pipeline Reroute project, Simplot Smoky Canyon Mine project, and Whitefish TMDL project. GIS and remote sensing have been used at some sites to assess riparian and stream conditions.

Company Profile and Experience

For water quality monitoring of reference, Maxim has considerable experience collecting water and sediment samples for quality analysis. Samples are collected using standard operating procedures. Geomorphology, habitat, and sources of pollutants are often assessed, using a variety of methods. Maxim uses GIS and remote sensing to assess riparian habitat and watershed characteristics. Resumes of Maxim personnel that have experience with this service category are in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, reference streams were evaluated for physical, chemical, and habitat parameters. Stream reaches were assessed using a variety of methods. Some of this information was used for establishing TMDLs. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or higher, and at least 50% of our technical staff have bachelors degrees.

TMDL TARGETS

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (TMDL targets), key Maxim projects include the New World Mining District Response and Restoration project, Lolo Creek TMDL project, and Whitefish TMDL project.

Company Profile and Experience

For TMDL targets, Maxim has experience evaluating water body conditions for narrative criteria or water quality standards. Maxim has prepared reports that are used to determine water quality impairment status of streams, and justification for TMDL targets. Resumes of Maxim personnel that have experience with this service category are in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, watershed information collected by Maxim was used for Montana DEQ's TMDL report. The data were used to establish sources of impacts, water quality impairment status, and justification for one or more TMDL targets. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or higher, and at least 50% of our technical staff have bachelors degrees.

TMDL SOURCE ASSESSMENT & DELINEATION

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (TMDL source assessment and delineation), key Maxim projects include the New World Mining District Response and Restoration project, Lolo Creek TMDL project, and Whitefish TMDL project.

Company Profile and Experience

For TMDL source assessment and delineation, Maxim has experience evaluating potential sources of impairment to beneficial uses of water bodies. Site investigations, data compilation, and statistical analysis are used for source allocation and linking water quality impairments to their sources. Data can be entered into an approved database structure-format and/or National Hydrography Dataset (NHD). Maxim can complete cost-benefit analysis for implementing BMPs. Resumes of Maxim personnel that have experience with this service category are in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, watershed information collected by Maxim was used for Montana DEQ's TMDL report. The data were used to delineate and allocate sources of impairment to water bodies in the watershed. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or higher, and at least 50% of our technical staff have bachelors degrees.

TMDL LOAD ALLOCATIONS

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (TMDL load allocations), key Maxim projects include the New World Mining District Response and Restoration project, Lolo Creek TMDL project, and Whitefish TMDL project.

Company Profile and Experience

For TMDL load allocations, Maxim has experience evaluating the portion of a receiving water's loading capacity that is attributed to existing and future point and/or non-point sources or to natural background sources. These load allocations are often developed in conjunction with the source assessment/delineation. Maxim has estimated load allocations using reasonably accurate numerical methods where chemical and flow data are available. Resumes of Maxim personnel that have experience with this service category are in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, watershed information collected by Maxim was used for Montana DEQ's TMDL report. The data were used to delineate and allocate sources of impairment to water bodies in the watershed. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or higher, and at least 50% of our technical staff have bachelors degrees.

TOTAL MAXIMUM DAILY LOADS

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (total maximum daily loads), key Maxim projects include the New World Mining District Response and Restoration project, Lolo Creek TMDL project, and Whitefish TMDL project.

Company Profile and Experience

For total maximum daily loads (TMDLs), Maxim has experience collecting and evaluating data to assist in developing TMDLs. This information is the sum of load allocations to point and non-point sources, and natural background sources, with a margin of safety considering seasonal variation. Maxim has used load allocation data for comparison to narrative and numeric water quality standards. Resumes of Maxim personnel that have experience with this service category are in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, watershed information collected by Maxim was used for Montana DEQ's TMDL report. The data were used to allocate sources of impairment to water bodies in the watershed, determine loads from the sources, and finally to develop TMDLs for the various water bodies. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or higher, and at least 50% of our technical staff have bachelors degrees.

STAKEHOLDER PARTICIPATION

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (stakeholder participation), key Maxim projects include the New World Mining District Response and Restoration project, Lolo Creek TMDL project, Blackleaf Oil & Gas EIS, and Butte RMP.

Company Profile and Experience

For stakeholder participation, Maxim has experience with public involvement involving agencies and other stakeholders. We have facilitated a variety of public meetings for EISs, EAs, resource management plans, and

watershed projects. Resumes of Maxim personnel that have experience with this service category are in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, Maxim has facilitated public meetings with the U.S. Forest Service for various aspects of mine reclamation, including watershed restoration. One member of Maxim's team participated in a meeting and site tour with the United Nations World Heritage Committee. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or higher, and at least 50% of our technical staff have bachelors degrees.

TMDL EFFECTIVENESS MONITORING

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (TMDL effectiveness monitoring), key Maxim projects include the New World Mining District Response and Restoration project, Lolo Creek TMDL project, and Whitefish TMDL project.

Company Profile and Experience

For TMDL effectiveness monitoring, Maxim has considerable experience collecting environmental samples and data for physical, chemical, and biological analysis. This information is used to determine if water quality is improving and meeting TMDL goals. Maxim typically writes reports that include the monitoring data in a format that demonstrates trends over time using statistics and graphical methods. Resumes of Maxim personnel that have experience with this service category are in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, watershed information collected by Maxim can be used to determine if water quality is improving over time. The data are presented in clear and concise annual monitoring reports. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or higher, and at least 50% of our technical staff have bachelors degrees.

GIS SERVICES

References

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (GIS services), key Maxim projects include the New World Mining District Response and Restoration project, Silver Bow Creek CERCLA project, Blackleaf Oil & Gas EIS, Whitefish TMDL project, and Butte RMP project.

Company Profile and Experience

For Geographic Information System (GIS) services, Maxim has considerable experience preparing maps using geospatial information. Thematic maps prepared by Maxim have included land ownership, land use, topography, hydrology, soils, precipitation, geology, and endangered species distribution. Resumes of Maxim personnel that have experience with this service category are in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, Maxim's data specialists have compiled extensive data sets into a GIS format that multiple technical specialists are using to complete analysis of existing conditions and evaluations of remedial alternatives. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or higher, and at least 50% of our technical staff have bachelors degrees.

REMOTE SENSING

References

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (remote sensing), key Maxim projects include the New World Mining District Response and Restoration project, MDT Environmental Services, Blackleaf Oil & Gas EIS, Whitefish TMDL project, and Butte RMP project.

Company Profile and Experience

For remote sensing, Maxim has considerable experience using aerial photographs for purposes of characterizing watersheds. Such information includes stream channel morphology, land cover, flood plain width, vegetation fragmentation, road density, road crossings, and irrigation ditches. These data are typically entered into an approved database structure, including linkage to the National Hydrography Dataset (NHD). Resumes of Maxim personnel that have experience with this service category are in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, Maxim used aerial photographs to help identify contamination sources and characterize stream channels. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or higher, and at least 50% of our technical staff have bachelors degrees.

WATER QUALITY MODELING

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this

service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (water quality modeling), key Maxim projects include the New World Mining District Response and Restoration project, Silver Bow Creek CERCLA project, and Simplot Smoky Canyon Mine project.

Company Profile and Experience

For water quality modeling, Maxim has considerable experience using various types of watershed models, including loading models, fate and transport models, lake-reservoir models, and sedimentation-erosion models. These models can be used to focus on specific water quality issues, such as sediment, nutrients, metals, salinity, etc. Resumes of Maxim personnel that have experience with this service category are in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, Maxim used models for water balance and geochemical data to predict leachate quality and quantity from mine wastes. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or higher, and at least 50% of our technical staff have bachelors degrees.

STATISTICAL ANALYSIS

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (statistical analysis), key Maxim projects include the New World Mining District Response and Restoration project, Silver Bow Creek CERCLA project, Smoky Canyon Mine project, and Butte RMP project.

Company Profile and Experience

For statistical analysis, Maxim has considerable experience analyzing large sets of data using various statistical techniques. Data are compiled and organized, followed by manipulation and statistical analysis, ranging from simple descriptive statistics to complex multifactor predictive analyses. Maxim has the computer statistical methods necessary to provide these services. Resumes of Maxim personnel that have experience with this service category are in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, Maxim used several statistical methods to evaluate water quality data, considering spatial and temporal variations. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or higher, and at least 50% of our technical staff have bachelors degrees.

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (information technical assistance), key Maxim projects include the New World Mining District Response and Restoration project, Silver Bow Creek CERCLA project, Simplot Smoky Canyon Mine project, and Butte RMP project.

Company Profile and Experience

For electronic data/information technical assistance, Maxim has experience migrating datasets to production database systems, such as STORET. We have a strong working knowledge of Visual Basic for Applications (MS Excel & MS Access) and Structured Query Language (SQL). We also use database normalization as it applies to data conversion and data migration. Resumes of Maxim personnel that have experience with this service category are in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, Maxim used MS Excel, MS Access, and SQL for its database applications. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. We have a strong working knowledge of Visual Basic for Applications (MS Excel & MS Access) and Structured Query Language (SQL). Maxim personnel are familiar with modernized STORET and can use it for loading electronic data. We also use database normalization as it applies to data conversion and data migration.

REVEGETATION SERVICES

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (revegetation services), key Maxim projects include the New World Mining District Response and Restoration project and Silver Bow Creek CERCLA project.

Company Profile and Experience

For revegetation services, Maxim has experience working on challenging revegetation projects. We have worked on a mine revegetation project at an altitude of over 9,000 feet, and a stream revegetation project impacted by heavy metals. Maxim can plan, design, and implement revegetation services. We have experience overseeing subcontractors to do the planting, fertilizing, and maintenance. Resumes of Maxim personnel that have experience with this service category are in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, Maxim planned and designed extensive revegetation work at a high elevation site disturbed by historic mining. The success was built upon many years of test plot work performed by others at the project site. Maxim has performed extensive monitoring of revegetation success for several years at the project site. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or higher, and at least 50% of our technical staff have bachelors degrees.

WATERSHED COORDINATION

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (watershed coordination), key Maxim projects include the New World Mining District Response and Restoration project, Lolo Creek TMDL project, Whitefish TMDL project, and Butte RMP project.

Company Profile and Experience

For watershed coordination, Maxim has experience organizing and facilitating public meetings, and representing agencies or other groups at meetings and conferences. Resumes of Maxim personnel that have experience with this service category are in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, Maxim has organized and facilitated numerous public meetings where project planning and implementation were presented. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or higher, and at least 50% of our technical staff have bachelors degrees.

COMMUNICATION & EDUCATION SERVICES – INFORMATION AND EDUCATION

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (information and education), key Maxim projects include the New World Mining District Response and Restoration Project, Game Bird Farm and Shooting Preserve EIS, and Blackleaf Oil & Gas EIS.

Company Profile and Experience

For information and education services, Maxim has assisted with providing information to various groups, and educating groups about a particular subject. Resumes of Maxim personnel that have experience with this service category are in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, Maxim has presented information about the project to various groups, with a goal of educating them about site conditions and restoration progress. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and

services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or higher, and at least 50% of our technical staff have bachelors degrees.

COMMUNICATION & EDUCATION SERVICES – CONTRACT ADMINISTRATION

References

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (contract administration), key Maxim projects include the New World Mining District Response and Restoration project, Lolo Creek TMDL project, Whitefish TMDL project, Blackleaf Oil & Gas EIS, and Butte RMP.

Company Profile and Experience

For contract administration, Maxim has considerable experience assisting in tracking contract progress, accounting systems for the contracts, documenting and tracking matching funds, developing scopes of work, and conducting procurement for subcontractors. Resumes for Maxim personnel that have experience with this service category are presented in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, Maxim has assisted the Forest Service with extensive contract management activities, including the use of subcontractors. Maxim reports contract progress on a frequent basis. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or higher, and at least 50% of our technical staff have bachelors degrees.

COMMUNICATION & EDUCATION SERVICES - INFORMATION TRANSFER & TMDL TECHNICAL EDITING

References

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (information transfer and technical editing), key Maxim projects include the New World Mining District Response and Restoration project, Silver Bow Creek CERCLA project, Blackleaf Oil & Gas EIS, and Butte RMP project.

Company Profile and Experience

For information transfer and TMDL technical editing, Maxim has extensive experience preparing pamphlets and brochures, setting up public meetings, preparing posters, and maintaining web pages. We are also adept at technical editing of natural science documents, including those for TMDL projects. Resumes for Maxim personnel that have experience with this service category are presented in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, Maxim assisted with

numerous public meetings, helped the Forest Service prepare pamphlets, and maintained a web page for the project. We also assisted the Forest Service with review and comment on the State's draft TMDL report. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or higher, and at least 50% of our technical staff have bachelors degrees.

LAND USE PLANNING SERVICES

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (land use planning), key Maxim projects include the New World Mining District Response and Restoration project, Blackleaf Oil & Gas EIS, and Butte RMP.

Company Profile and Experience

For land use planning services, Maxim has assisted in developing beneficial plans for land areas. Agricultural land use, watershed land use, and other land use services have been provided by Maxim. Resumes for Maxim personnel that have experience with this service category are presented in Appendix B.

Method of Providing Services and Quality Assurance

Appendix E contains details about a single project example for which Maxim has provided services similar to those specified in this service category. This is the New World Mining District Response and Restoration Project in Park County, Montana, near Yellowstone National Park. For this project, Maxim has assisted the Forest Service in restoration projects that will provide long-term land use to the public for these areas. A description of Maxim's quality management is included in Appendix E.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or higher, and at least 50% of our technical staff have bachelors degrees.

PREPARATION OF TECHNICAL MANUALS OR CIRCULARS

Tables 1 and 2 in Appendix A describe representative projects that Maxim has performed relative to this service category. For each of these projects, Table 1 includes a client reference name and phone number, project location, dates of service, and indication of service category. For this service category (preparation of technical manuals or circulars), a key Maxim project is the Montana DEQ storm water manual.

Company Profile and Experience

Maxim has experience preparing technical manuals or circulars. We prepared a manual of best management practices for Montana DEQ's stormwater program that was widely distributed. Resumes for Maxim personnel that have experience with this service category are presented in Appendix B.

Method of Providing Services and Quality Assurance

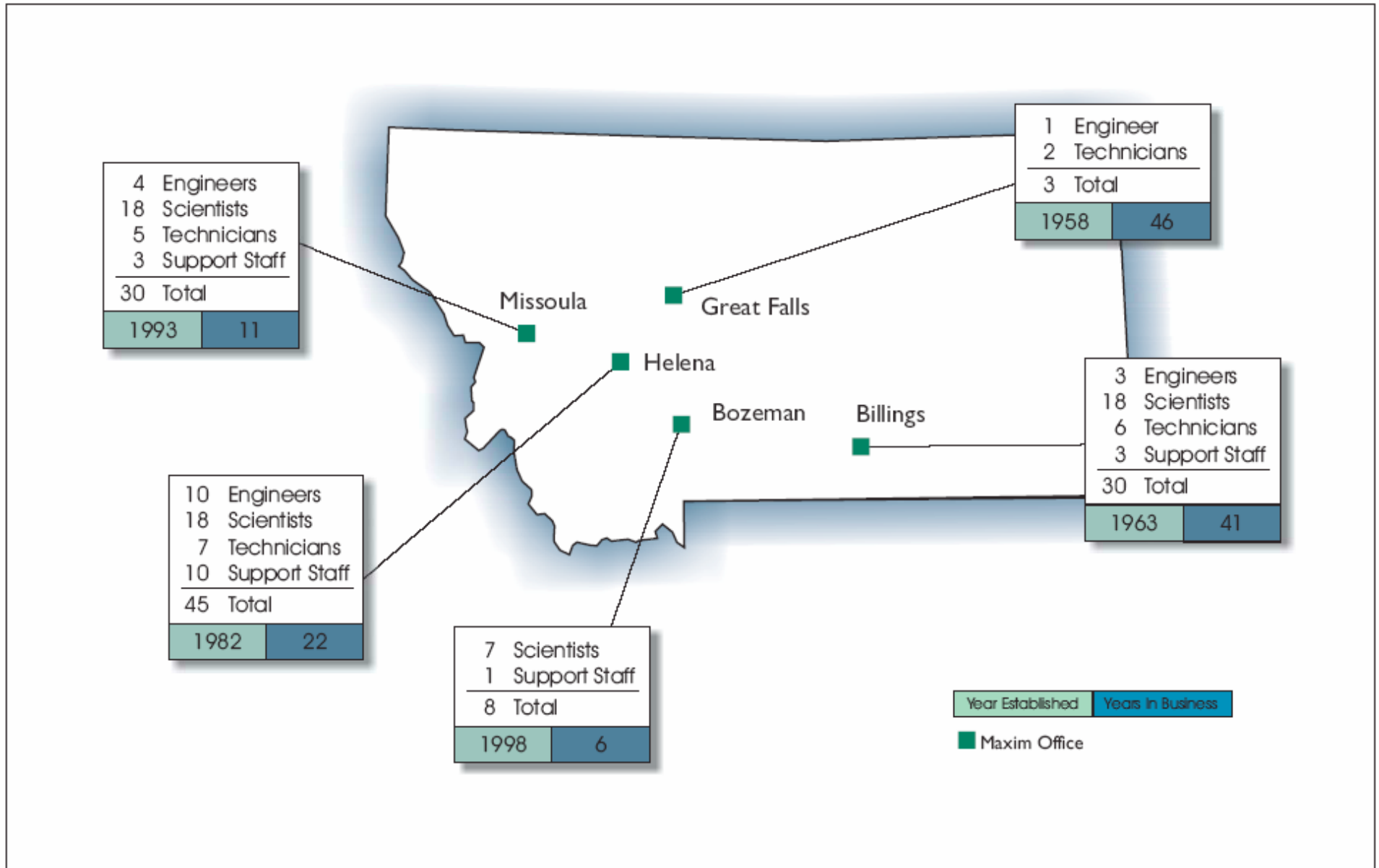
Maxim prepared a guidance manual (Volume I and II) in 1992 for the Montana DEQ with respect to its stormwater program. The manual describes specific best management practices (BMPs) that should be considered as part of a stormwater pollution prevention plan (SWPP). The manual includes figures of various BMPs that were prepared by Maxim. This manual has been widely distributed to parties that are applying for

or have received stormwater permits.

Staff Qualifications

Table 3 in Appendix A contains a list of 20 Maxim personnel, some having experience with projects and services similar to those in this service category. For staff members on the table, their degrees, years of professional experience, years of experience on projects similar to those under this service category, professional registrations, and professional rate category are listed. Resumes for the 20 Maxim personnel in Table 3 are in Appendix B. At least 50% of our professional staff have Natural Science bachelors degrees or higher, and at least 50% of our technical staff have bachelors degrees. Maxim staff have a working knowledge of various environmental permitting requirements in Montana for which guidance manuals may be prepared, including MPDES, stormwater, MGWPCS, water use, 3A/318 authorization, 310 permit, Section 404 permit, and floodplain development.

APPENDIX A FIGURES AND TABLES



Maxim Office Location Map Montana Department of Administration Environmental Services Term Contract
 FIGURE 1

TABLE 1 PROJECT REFERENCES RELATIVE TO SERVICE CATEGORIES																								
PROJECT	CLIENT REFERENCE	LOCATION	Dates of Service	Water Quality Monitoring - Fixed Station & Probabalistic Design	Water Quality Monitoring - Lakes and Streams	Water Quality Monitoring - Reference Sites	TMDL Targets	/Delineation TMDL Source Assessment	TMDL Load Allocations	Total Maximum Daily Loads	Stakeholder Participation	TMDL Effectiveness Monitoring	GIS Services	Remote Sensing	Water Quality Modeling	Statistical Analysis	DEQ Electronic Data/Information	Revegetation Services	Watershed Coordination	Communication/Education Services Information and Education	Communication/Education Services - Contract Administration	Communication/Education Services Information Transfer & TMDL Technical Editing	Land Use PlanningServices	Preparation of Technical Manuals or Circulars
New World Mining District Response & Restoration Project	USDA Forest Service Ms. Mary Beth Marks, (406) 587-6709	Cooke City, Montana	1999 - Present	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
Silver Bow Creek CERCLA - RI/FS	Montana Department of Environmental Quality Mr. Joel Chavez, (406) 444-5440	Silver Bow & Deer Lodge Counties, Montana	1984-1990	•	•	•							•	•	•	•	•	•				•		
Lolo Creek TMDL Study	Montana Department of Transportation Mr. Stan Sternberg, (406) 444-7647	Lolo, Montana	2001-2002			•	•	•	•	•	•	•	•						•			•		
Blackleaf EIS	Bureau of Land Management Ms. Lynn Ricci, (406) 538-1922	Teton County, Montana	2003 - 2004		•						•		•	•	•		•		•	•	•	•	•	
Yellowstone Pipeline Reroute Project	Yellowstone Pipeline Company Mr. Chuck Usselman (406) 549-3519	Western Montana and Northeastern Idaho	1997 - 2000	•	•	•							•	•								•		
Butte RMP Revision	Bureau of Land Management Ms. Ruth Miller, (406) 533-7645	Southwestern Montana	2003-2005	•	•						•		•	•		•	•	•	•	•	•	•	•	
Whitefish TMDL	Kirk Environmental Steve MacNeil, (406) 442-9976	Kalispell and Whitefish, Montana	2003-Present	•	•	•	•	•	•	•	•	•	•	•					•			•		
Simplot Smoky Canyon Mine Baseline	USDA Forest Service Ms. Mary Beth Marks, (406) 587-6709	Southeastern Wyoming	2002-Present	•	•	•							•	•	•	•	•	•				•		
MDT Environmental Support Services	Montana Department of Transportation Mr. Stan Sternberg, (406) 444-7647	Montana, Statewide	2003		•								•							•	•	•		
Game Bird Farm and Shooting Preserve EIS	Montana Department of Fish, Wildlife and Parks Mr. Tim Feldner (406) 444-4039	Montana, Statewide	1998-2001								•		•							•	•	•	•	
DEQ Manual for Stormwater Program	Montana Department of Environmental Quality Mr. Joel Chavez, (406) 444-4323	Montana, Statewide	1991-1992																			•		•

TABLE 2 – MAXIM PROJECT ABSTRACTS

New World Mining District Response & Restoration Project	Cooke City, Montana	Maxim has been under contract to the USDA Forest Service since early 1999 to provide technical support services to complete response and restoration activities under CERCLA's non time-critical removal action process at this historic mining district near the northeast entrance to Yellowstone National Park. Over 200 mine waste source areas are present in the New World Mining District continuing to cause water quality degradation in several watersheds. Work tasks completed by Maxim personnel involve data compilation, field investigation, engineering analyses, engineering design, and construction inspection assistance. To support this effort, Maxim's data specialists have compiled extensive disparate data sets into a GIS-format. Field investigations have included the following: mine waste sampling and analysis; water quality sampling; installation and operation of meteorological station; installation and sampling of monitoring wells; completion of dye tracer studies; characterization of candidate waste repository sites; aquifer testing; and surveying. Data analysis and interpretation tasks include modeling water balance and geochemical data to predict leachate quality and quantity from mine wastes, analyzing metals loading to area streams from waste sources, analyzing the impact of roads as sources of sediment and metals contamination, and evaluating groundwater/surface water interactions.
Silver Bow Creek CERCLA - RI/FS	Silver Bow & Deer Lodge Counties, Montana	Maxim personnel completed an extensive remedial investigation of this 50 square mile study area impacted by a century of mining and milling activities. Project scientists collected over 1,000 samples of surface water, groundwater, soil, streambed sediments, lake bottom sediments and air to characterize the nature and extent of metals contamination at the site. All project activities were conducted in accordance with the most recent EPA guidance. Documents prepared included a work plan, field sampling plans, quality assurance project plans, sampling and analysis plans, community relations plans, and laboratory operating plans. Data quality objectives (DQOs) for the project were established in conjunction with the participating agencies and the PRP. Results were used to support preparation of a multi-volume remedial investigation report, a public health and environmental assessment, and a feasibility study of remedial alternatives for site cleanup. Maxim engineers completed feasibility studies for several operable units identified in the study area. Project facilitators conducted numerous public meetings at several locations proximal to the study area. Maxim staff supported preparation of two records of decision (RODs) and provided oversight of PRP-led remedial construction activities. In addition to completing state-lead work, Maxim professionals provided technical review of a separate RI/FS completed in the Clark Fork Basin by the PRP.
Lolo Creek TMDL Study	Lolo, Montana	Maxim conducted a Total Maximum Daily Load (TMDL) study of the upper Lolo Creek watershed in western Montana on behalf of the Montana Department of Transportation (MDT) during the summer and fall of 2002. The Montana Department of Environmental Quality (MDEQ) listing of Lolo Creek on the 303d list of impaired water bodies results from habitat alterations and siltation affecting aquatic life and the cold water fishery. Maxim's report of the study, submitted to MDT during November 2002, identified sources of sediment load to West Fork Lolo Creek resulting from the presence and maintenance (primarily winter road sanding) of State Highway 12 in the drainage. A fish passage evaluation was also completed as part of the project. Maxim's report also identified mitigations that MDT has implemented in the drainage, the condition and maintenance of those mitigations, and the overall effectiveness of those mitigations.

TABLE 2 – MAXIM PROJECT ABSTRACTS

Blackleaf EIS	Teton County, Montana	Maxim NEPA specialists were selected by the Bureau of Land Management to prepare an Environmental Impact Statement (EIS) in response to Applications for Permit to drill natural gas exploration wells within the Blackleaf Study area along the Rocky Mountain Front. The Blackleaf Study Area contains approximately 40,000 federal and 18,000 state and private mineral acres. A Final EIS was completed in 1992 that analyzed potential impacts of drilling step-out and exploratory wells around existing production wells in the area. Important additional baseline inventory information for cultural resources and Native American concerns, visual resources, wildlife, old growth forest, vegetation, and aquatic resources are being assessed. Other critical socioeconomic and management concerns have been identified including: natural resources, social, cultural and economic values, health and safety, hazardous materials and wastes, air and water quality, special status terrestrial, aquatic, and plant species, and livestock management. Several public involvement meetings are scheduled to gather comments and a database has been designed to analyze public comment. In addition, written publications and an information website were created to educate public understanding of the NEPA process specific to the proposed Blackleaf project.
Yellowstone Pipeline Reroute Project	Western Montana and Northeastern Idaho	Maxim was the prime contractor for comprehensive baseline studies on the Bitterroot Range Project, a petroleum pipeline construction project in western Montana and northern Idaho. As consultant to Yellowstone Pipe Line Company (YPL), Maxim was responsible for data collection, analysis, and reporting services in support of environmental impact statement (EIS) document preparation. This project addressed roughly 200 miles of proposed route alternatives and 400 miles of no action routes. Geographic information service (GIS), an important component of this project, was used to integrate existing information with data collected by Maxim scientists during field surveys. In completing the fieldwork portion of the project, over 200 stream and river sites were studied to characterize surface water conditions at potential pipeline crossing sites. Primary field activities included stream gaging, water quality sampling and analysis, stream morphology characterization (Rosgen method), bank/bed stability evaluation, grain size analysis, calculation of scour depth, and determination of flood prone areas. In addition, a survey of springs, seeps, and ponds was conducted in the study area. A considerable amount of disparate environmental data, including land use, land ownership, surface water, groundwater, soils, fisheries, aquatics, and wildlife data, were collated and entered into a GIS database system. Over 100 geospatial data sets were accessed and reformatted to accomplish this task. Additional environmental information was digitized and included in the project database. GIS was used extensively in the analysis of impacts and route alternatives.
Butte RMP Revision	Central Montana	Maxim is currently contracted to the Bureau of Land Management (BLM), Butte Field Office, to prepare the Headwaters Resource Area, Butte Field Office Resource Management Plan (RMP) revision and environmental impact statement (EIS). The revision of the RMP will address resource areas and issues within the field office that have changed since the 1983 publication of the existing RMP. Specific resources that Maxim will be evaluating include rangeland health, threatened, endangered, and sensitive wildlife and plants, Areas of Critical Environmental Concern, recreation and land use, and land tenure adjustments. A critical task is the creation of a vegetation base layer for the Field Office, which includes BLM land in the Elkhorns Wildlife Management Unit. The vegetation mapping effort consists of using county soil mapping, aerial photography, Ecological Site information, BLM Rangeland Health data, and wildlife habitat transect information to update and/or validate Satellite Imagery Land Classification (SILC) 3 base vegetation layer for the approximately seven million acres of Federal, State of Montana, and private land encompassed by the Field Office.

TABLE 2 – MAXIM PROJECT ABSTRACTS

Whitefish TMDL	Whitefish & Kalispell, Montana	Under contract to the Flathead Basin Commission, Maxim is conducting a Phase I physical and biological assessment of the Whitefish River, and an urban stormwater analysis for Kalispell as part of the overall Flathead Basin TMDL project. Tasks include preparation of a Phase I TMDL report, sampling plan, and quality assurance plan. For the Phase I project, field activities will include a physical assessment (riparian and morphological evaluation on 20 stream miles; collect bedload and suspended sediment) and biological assessment (benthic macroinvertebrate and periphyton sampling). For the urban stormwater project, stormwater and spring runoff samples will be collected at selected outfall locations in the Kalispell area.
Simplot Smoky Canyon Mine Baseline	Southeast Idaho	Maxim specialists conducted rare plant surveys, wetland delineations, and baseline inventories for three owl species, goshawks, sage and sharp-tailed grouse, five bat species, and forest carnivores on several hundred acres of land. Our personnel also conducted detailed aquatic habitat and fisheries surveys on several area streams.
MDT Environmental Support Services	Montana Statewide	Since 1991, Maxim has performed a variety of environmental services for the Montana Department of Transportation (MDT). These activities include: underground storage tank investigations; hazardous waste identification and management; drinking water supply assessment; anti-skid material research; groundwater investigations and cleanup; Phase I & II ESA; rights-of-way investigations; asbestos abatement; indoor air quality studies; TMDL assessment; wetland delineation and mitigation; and preparation of SPCC plans. Maxim has managed this contract with MDT for over 10 years, including use of subcontractors for various activities. GIS and remote sensing are used with some projects to obtain environmental information.
Game Bird Farm and Shooting Preserve EIS	Montana Statewide	NEPA specialists at Maxim were contracted by Montana Fish, Wildlife & Parks to prepare a Programmatic EIS for game bird farms and game bird shooting preserves. Several alternatives were developed to mitigate potential impacts to wild game bird populations in Montana. The Draft Programmatic EIS was published in 1999 and the Final was delivered in 2001.
DEQ Manual for Stormwater Program	Montana Statewide	Under contract to the Montana Department of Environmental Quality (MDEQ), Maxim prepared a two-volume guidance manual for best management practices (BMPs) associated with the state's stormwater program. This manual was published in 1992 and has been widely distributed to parties that have or are obtaining stormwater permits. The manual contains detailed descriptions of various BMPs that could be implemented, including figures of some BMP methods.

TABLE 3 -PERSONNEL EXPERIENCE & CREDENTIALS SUMMARY																										
Staff Member ¹	Service Category Specialty & (Years Experience with Service Categories)	Degree	Labor Category ²	Years Prof. Exp.	Water Quality Monitoring - Fixed Station and Probabalistic Design	Water Quality Monitoring - Lakes & Streams	H2O Quality Monitoring - Reference Sites	TMDL Targets	TMDL - Source Assessment	TMDL - Load Allocations	Total Maximum Daily Loads	Stakeholder Participation	TMDL Effectiveness Monitoring	GIS Services	Remote Sensing	Water Quality Modeling	Statistical Analysis	DEQ Electronic Data	Revegetation Services	Watershed Coordination	Communication/Education Services- Information and Education	Communication/Education Services- Contract Administration	Communication/Education Services- Information Transfer & TMDL Technical Editing	Land Use Planning Services	Preparation of Technical Manuals or Circulars	
KEY TECHNICAL STAFF																										
Armstrong, J.	Hydrogeology (10)	B.A. Geology	P-3	14	•	•	•						•													
Bucher, B. (PE)	Surface Water & Engineering (20)	B.S. Engineering Physics	P-4	30				•	•	•	•	•								•	•	•	•			
Cawlfieid, L. (PE)	Surface Water & Engineering (15)	M.S. Civil Engineering	P-4	24				•	•	•	•	•								•	•	•	•			
Cerquone, C.	Public Involvement-Education (10)	M.S. Environmental Studies	P-3	14								•								•	•	•	•		•	
Colvin, S.	Field Technician (15)	B.S. Construction Engineering	P-3	15	•	•	•						•													
Fisher, G. (PE)	Surface Water & Engineering (15)	M.S. Civil Engineering	P-4	20				•	•	•	•	•								•	•	•	•			
Gifford, F.	GIS-Data Acquisition (10)	B.A. Geography	P-3	17										•	•			•							•	
Highness, D.	GIS-Data Acquisition (10)	M.S. Geography	P-3	10										•	•											
Kirk, L.	Geochemistry (15)	M.S. Geology	P-4	20							•					•	•									
Leferink, R.	Database Management-Statistics	B.S. Economics	P-3	18													•	•								
Maus, J.	Hydrogeology (5)	M.S. Hydrogeology	P-3	10	•	•	•						•			•										
May, D.	Hydrology (10)	B.S. Geography	P-3	14	•	•	•						•													
McCurry, D.	Field Technician (15)	B.S. Environmental Health	P-2	19	•	•	•						•													
Myers, P.	Biology-Revegetation (10)	B.S. Biology	P-2	12																•	•	•		•		
Pearson, M.R.	GIS-Database (10)	B.S. Geology	P-3	14										•	•			•	•							
Pearson, M.F.	Hydrogeology (15)	M.S. Geology	P-3	20	•	•	•						•													
Rice, J.	Hydrogeology (15)	B.S. Land Resources	P-3	20	•	•	•						•													
Rogness, D. (PG)	Hydrology-TMDL (20)	M.S. Hydrology	P-4	25	•	•	•	•	•	•	•	•	•							•	•	•	•			
Stringer, C. (PG)	Modeling (10)	M.S. Geology	P-4	14	•	•	•			•			•								•	•	•			
Waage, B.	Biology (15)	B.S. Natural Resources	P-3	25															•							
Note: 1. Color of staff member indicates office locations: Helena Missoula Billings Bozeman																										
2. See Appendix D for Labor Category rates																										